REMARKS

Applicants respectfully requests consideration of the subject application as amended herein. This Amendment is submitted in response to the Final Office Action mailed on September 25, 2007. Claims 1-30 are rejected. Claims 1, 15, 29 and 30 have been amended. No new matter has been added.

35 U.S.C. §101

Claims 1-14 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claims 1-14 have been amended accordingly.

35 U.S.C. §102

Claims 1-30 are rejected under 35 U.S.C. § 102(b) as being anticipated by Shih, et al., ("A Design/Constraint Model To Capture Design Intent," hereinafter "Shih"). As discussed below, the pending claims are patentable over the above reference.

Shih discloses a design model that captures design intent. The design model enables downstream users to modify or regenerate the design from explicit information in an exchange file. The information provided in the exchange file is generated by the sender or upstream designer. Additional requirements at later stages can feedback to the earlier designers to refine the design. Constraints in predefined or free form formulations capture the logical inter-relationship as well as inter-dependence of design/shape data. The design intent is an accumulation of these interactions of design/shape and constraints.

The Examiner asserts that Shih discloses "functionality" and "assignment of behavioral parameters to partitioned volumes," thus teaching all the limitations of the presently claimed invention. Applicants respectfully disagree. At most, Shih discloses having a module that includes a subset of model containing types that are grouped together based on some

commonality such as functionality. Shih does not teach or suggest (a) determining, based on behavioral parameters associated with each design feature of an object and without user involvement, which body partitions correspond to individual design features, and (b) assigning, without user involvement, contributing volumes created by the design features to corresponding body partitions. The Examiner is respectfully requested to provide references to specific portions in Shih where the limitations (a) and (b) are disclosed. The limitations (a) and (b) are included in the following language of claim 1:

> ... receiving one or more behavioral parameters associated with each design feature of the object from a user, the object having a body represented by a predefined set of body partitions;
> determining, based on the behavioral parameters and without user involvement, which body partitions from the predefined set correspond to individual design features of the object;
> assigning, without user involvement, contributing volumes created by the design features to corresponding body partitions; and
> computing the digital model of the object using contributing volumes of each design feature of the object.

Similar language is also included in claims 15, 29 and 30. Accordingly, the present invention, as claimed in claims 1, 15, 29 and 30, and their corresponding dependent claims, is not anticipated by Shih.

Applicant respectfully requests the withdrawal of the rejection under 35 U.S.C. § 102(b) and submits that the pending claims are in condition for allowance.

If the Examiner determines that prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR
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